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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/039,740	01/03/2002	Adam T. Lake	42390.P13351	1131

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EXAMINER

PITARO, RYAN F

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 09/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/039,740	Applicant(s) LAKE ET AL.	
	Examiner Ryan F Pitaro	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-27 have been examined.

Specification

Content of Specification

- (a) Title of the Invention: See 37 CFR 1.72(a) and MPEP § 606. The title of the invention should be placed at the top of the first page of the specification unless the title is provided in an application data sheet. The title of the invention should be brief but technically accurate and descriptive, preferably from two to seven words may not contain more than 500 characters.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-4,10,17,25 are rejected under 35 U.S.C. 102(e) as being anticipated by Dustin et al ("Dustin", US# 6,496,857).

As per independent claim 1, Dustin discloses a method to view information comprising:

ordering a list of information content segments that have previously appeared on a web page (Column 4 lines 37-41), wherein said web page is displayed in a first area of an information display (Column 5 lines 10-12); and

displaying said list of information content segments to be viewed concurrently with said web page (Column 6 lines 21-25;*wherein the whole page is downloaded and can subsequently be displayed with content segments as in Figure 4-2*).

As per claim 2, which is dependent on claim 1, Dustin discloses a method wherein said ordering follows a chronological order of display (Column 5 lines 42-46).

As per claim 3, which is dependent on claim 1, Dustin discloses a method associating said first area of said information display with said list of information content segments (Figure 4-2;*glanceview*)

As per claim 4, which is dependent on claim 3, Dustin discloses a method wherein said associating places said first area of said information display proximate to said list of information content segments (Figure 4-2;*wherein the list is displayed near the second display area*).

As per claim 7, which is dependent on claim 1, Dustin discloses a method further comprising navigating through said list of information content segments (Column 5 lines 46-51).

As per claim 9, which is dependent on claim 1, Dustin discloses a method wherein said information content is an advertisement (Column 5 lines 10-17).

Claims 10,17,25 are individually similar in scope to claim 1 and are therefore rejected under similar rationale.

Claims 11,18,26 are individually similar in scope to claim 2 and are therefore rejected under similar rationale.

Claims 12,19 are individually similar in scope to claim 3 and are therefore rejected under similar rationale.

Claims 13,20 are individually similar in scope to claim 4 and are therefore rejected under similar rationale.

Claims 14,23,27 are individually similar in scope to claim 7 and are therefore rejected under similar rationale.

Claim 16 is similar in scope to claim 9 and is therefore rejected under similar rationale.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5,6,21,22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dustin ("Dustin", US# 6,496,857) in further view of Rice ("Rice", US# 6486891).

As per claim 5, which is dependent on claim 1, Dustin fails to disclose a method wherein said information display is a projection of light on a surface. However Rice teaches a method wherein said information display is a projection of light on a surface (Column 4 lines 15-16). Therefore it would have been obvious to combine Dustin's method with Rice's teaching. Motivation to so do would have been to allow the display

of the information to display advertisements to an Internet user browsing the World Wide Web.

As per claim 6, which is dependent on claim 1, Dustin fails to disclose a method wherein said information display is comprised of electrically powered display elements. However, Rice teaches a method wherein said information display is comprised of electrically powered display elements (Column 4 lines 17-20). Therefore it would have been obvious to combine Dustin's method with Rice's teaching. Motivation to so do would have been to allow the display of the information to display advertisements to an Internet user browsing the World Wide Web.

Claim 21 is similar in scope to claim 5 and is therefore rejected under similar rationale.

Claim 22 is similar in scope to claim 6 and is therefore rejected under similar rationale.

6. Claims 8,15,24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dustin ("Dustin", US# 6,496,857).

As per claim 8, which is dependent on claim 7, Dustin fails to clearly disclose a navigation method performed through a scroll bar, a button, or a voice command. Official Notice is taken that scroll bars and buttons to navigate through elements are notoriously well known in the art, examples of which are: the use of the forward and back button in an internet browser, the use of a scroll bar on a webpage. It would have been obvious to an artisan at the time of the invention to combine the use of a button or a scroll bar with Dustin's method to ease the navigation of the advertisements.

Claims 15,24 are similar in scope to claim 8 and are therefore rejected under similar rationale.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Foley et al (US# 5706502) teaches an internet display method and system for web pages.
- Slotznick (US# 6011537) teaches a multiple displaying of webpages and banner ads.
- Van Hoff et al (US# 5959623) teaches selected lists of advertisements.
- Penelope Patsuris, Will BackFlip flop?, Forbes.com, 12.10.99, 12:00 AM ET teaches a storing recent content.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan Pitaro whose telephone number is (703) 605-1205. The examiner can normally be reached on 7:00am - 4:30pm Monday through Thursday, and every other Friday. The Patent Office is moving, after mid October the new telephone number where Ryan Pitaro can be reached is (571) 272 - 4071.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2174

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ryan Pitaro
Patent Examiner
Art Unit 2174

RFP

Kristine Kincaid
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